IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SHOW CAUSE NOTICE NO. 1488 OF 2006
IN
APPEAL NO. 129 OF 1997
IN
WRIT PETITION NO. 639 OF 1996

Ardeshir P. Banaji] .. Appellant

Versus

1. Union of India & 4 ors.] .. Respondents

Mr. Umesh Shetty with Ms. Yamini Chandan i/b M/s. Umesh Shetty & Co. for the appellant.

Mr. Y.S. Bhate with Mr. Y.R. Mishra for the respondents.

Mr. Ashwini Kumar, Defence Estate Officer present.

CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.

DATED: 20TH DECEMBER, 2006

P.C. :

. Pursuant to the Notice issued by us on 9th November, 2006, Mr. Ashwini Kumar, Defence Estate Officer, Bombay Circle (presently posted at Pune) is personally present. It appears from the reply dated 15th December, 2006, that pursuant to the order dated 18th November, 2005, he forwarded the petitioner's application dated 22nd October, 2005 for de-hiring of Flat No.3 in building known as "The Cliff" at Worli, Mumbai to the Principal Director of Defence Estates,

Ministry of Defence vide letter dated 23rd November, 2005, who, in turn, forwarded it to the Director General, Defence Estates, Ministry of Defence. He had also forwarded the petitioner's application dated 22nd October, 2005, to the Headquarters, Western Naval Command, Mumbai on 25th November, 2005, for taking up the case to the Ministry of Defence to consider the petitioner's request for de-hiring the said flat on compassionate ground. In our view, he could not have done more than that and, therefore, we are satisfied that no further action needs to be taken against Mr. Ashwini Kumar pursuant to the Notice issued by us vide our order dated 9th November, 2006. Notice issued to Mr. Ashwini Kumar is accordingly discharged.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]